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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,897	06/04/2004	John C. Wang	12022-US-PA	3896
31561	7590	05/18/2005	EXAMINER	
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE 7 FLOOR-1, NO. 100 ROOSEVELT ROAD, SECTION 2 TAIPEI, 100 TAIWAN			BROUSSARD, COREY M	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 05/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

5m

<b>Office Action Summary</b>	<b>Application No.</b> 10/709,897	<b>Applicant(s)</b> WANG, JOHN C.	
	<b>Examiner</b> Corey M. Broussard	<b>Art Unit</b> 2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 04 June 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                                      |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                          | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                                 | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6/4/04, 3/25/05</u> . | 6) <input type="checkbox"/> Other: _____                                                |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: Claim 1 lines 10 and 12 are missing spaces between the words: the, sliding, member, has, and of, lateral. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 5 recites the limitation "second body" in line 2. There is insufficient antecedent basis for this limitation in the claim. The parent claim recites a single "body" and lacks a "second body".

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 15-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Uchida et al. (JP 02002057771). With respect to claim 15, Uchida teaches a handheld electronic device, comprising: a body (13); a sliding member (12) pivotably connected to the body (see Fig. 1, 2, 4), the sliding member having a keyboard thereon (17, 16), and movable between a first (Fig. 2) and second (Fig. 1, 4) position, wherein at the second position, the sliding member having two ends protruding out of two sides of the body, respectively (the left and right ends of the sliding member protrude out of the left and right sides of the body, see Fig. 1, 2, 4).

6. With respect to claim 16, Uchida teaches wherein the second position, the handheld electronic device has a T-shaped configuration (see Fig. 1, the second position is shown in an up-side-down T-shaped configuration).

7. With respect to claim 17, Uchida teaches where at the second position, the handheld device has a cross-shaped configuration (see Fig. 4).

8. Claims 1-4, 9, 10, 14, 18-20, 22, and 24 are rejected under 35 U.S.C. 102(e) as being anticipated by Lahr (US Pub 2003/0132863). With respect to claim 1, Lahr teaches a handheld electronic device, having a geometric center line, comprising: a body (12) having a display (14); and a sliding member (20) pivotally connecting to a bottom of the first body via a pivot connection (18, 22 in combination form a pivot connection), wherein the pivot connection is off of the geometric center line for a distance (see Fig. 3), the sliding member has a keyboard (24, see [0025] lines 5-10), the sliding member moves between a first position (see Fig. 1, [0022] lines 14-17) and a second position relative to the body (Fig. 6), where at the first position, the keyboard of

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the sliding member has at least a portion being hidden below the body (Fig. 1, [0022] 14-17), and where at the second position, ends of the sliding member protrude out of lateral sides of the body, respectively (see Fig. 6, the sliding member 20 protrudes out of the lower, left, and right sides).

9. With respect to claim 2, Lahr teaches wherein the sliding member (20) rotates from the first position by 90 degrees to the second position (when the sliding member moves from the position as in Fig. 1 to Fig. 6, it slides along the track 18 as shown in Fig. 3, therefore it would rotate 90 degrees to end up in the position seen in Fig. 6).

10. With respect to claim 3, Lahr teaches a guiding structure (18, 22) to guide the sliding member (20) moving between the first position and the second position ([0025], lines 12-14, 16-17).

11. With respect to claim 4, Lahr teaches wherein the guiding structure (18, 22) comprises an engaging member (22) and an arched track (18) wherein the engaging member is movably fitted in the track ([0025] lines 11-12).

12. With respect to claims 9 and 10, Lahr teaches wherein the sliding member is moved from the first position to the second position through linear and rotatable means relative to the body ([0025] lines 11-12), either means could precede the other.

13. With respect to claim 14, Lahr teaches wherein the body further comprises a plurality of keys under the display (16), and at the second position, the keys on the body cooperate with the keyboard of the sliding member to form a Qwerty keyboard (the display keys cooperate by allowing the keyboard 24 to be exposed in the second position, see [0025] lines 5-10 teaching that 24 may be a QWERTY keyboard).

14. With respect to claim 18, Lahr teaches a handheld electronic device, comprising: a body (12) having a display thereon (14); a sliding member (20) pivotably mounted to the body (18, 22 in combination form a pivot connection) and moveable between first (Fig. 1) and second (Fig. 6) positions, at the first position, the sliding member being aligned with the body ([0022] lines 14-17), at the second position, the sliding member having two ends located outside of two sides of the body, respectively (see Fig. 6, the sliding member 20 protrudes out of the lower, left, and right sides).

15. With respect to claim 19, Lahr teaches wherein the sliding member (20) rotates from the first position by 90 degrees to the second position (when the sliding member moves from the position as in Fig. 1 to Fig. 6, it slides along the track 18 as shown in Fig. 3, therefore it would rotate 90 degrees to end up in the position seen in Fig. 6).

16. With respect to claim 20, Lahr teaches a guiding means (18, 22) for guiding the sliding member (20) to have a reliable and stable movement between the first and second positions ([0025], lines 12-14, 16-17).

17. With respect to claim 23, Lahr teaches wherein the sliding member is provided with a keyboard (24, [0025] lines 5-10) thereon.

18. With respect to claim 24, Lahr teaches wherein the sliding member is provided with a touch pad (see [0029], the device 20 may be "adapted to permit touch-typing" therefore making it a touch pad) thereon.

19. The following rejection to Lahr also applies as interpreted based upon the alternate embodiment of Fig. 5. Claims 1, 5-8, 18, 21, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lahr (US Pub 2003/0132863). With respect to

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claim 1 Lahr teaches a handheld electronic device, having a geometric center line, comprising: a body (12) having a display (14); and a sliding member (20) pivotally connecting to a bottom of the first body via a pivot connection (18, 22 in combination form a pivot connection), wherein the pivot connection is off of the geometric center line for a distance (see Fig. 3), the sliding member has a keyboard (24, see [0025] lines 5-10), the sliding member moves between a first position (see Fig. 1, [0022] lines 14-17) and a second position relative to the body (Fig. 5), where at the first position, the keyboard of the sliding member has at least a portion being hidden below the body (Fig. 1, [0022] 14-17), and where at the second position, ends of the sliding member protrude out of lateral sides of the body, respectively (see Fig. 5, the sliding member 20 protrudes out of the under and right sides).

20. With respect to claim 5 as best as it can be understood, Lahr teaches wherein the second body (20) rotates from the first position (Fig. 1) by 180 degrees to the second position (Fig. 5, for the second body to move from the first position to the second using the connecting means 18, and 22, it much inherently rotate 180 degrees, see Fig. 1-5).

21. With respect to claim 6, Lahr teaches a guiding structure (18, 22) to guide the sliding member (20) moving between the first position (Fig. 1) and the second position (Fig. 5, the track 18, allows for the hub 22 to pivot the sliding member 20 into the second position).



22. With respect to claim 7, Lahr teaches wherein the guiding structure comprises an engaging member (22) on the sliding member (20), the engaging member movably fitting in an arched track (18) defined in the bottom of the body (see Fig. 2, 3).

23. With respect to claim 8, Lahr teaches wherein the arched track (18) has a configuration of a semicircle (see Fig. 3, the far left end of the track that allows the hub 22 to rotate into the second position is semicircular).

24. With respect to claim 18, Lahr teaches a handheld electronic device, comprising: a body (12) having a display thereon (14); a sliding member (20) pivotably mounted to the body (18, 22 in combination form a pivot connection) and moveable between first (Fig. 1) and second (Fig. 5) positions, at the first position, the sliding member being aligned with the body ([0022] lines 14-17), at the second position, the sliding member having two ends located outside of two sides of the body, respectively (see Fig. 5, the sliding member 20 protrudes out of the under and right sides).

25. With respect to claim 21, Lahr teaches wherein the sliding member (20) rotates 180 degrees to move from the first position (Fig. 1) to the second position (Fig. 5, for the second body to move from the first position to the second using the connecting means 18, and 22, it much inherently rotate 180 degrees, see Fig. 1-5).

26. With respect to claim 22, Lahr teaches a guiding means (18, 22) for guiding the sliding member (20) to have a reliable and stable movement between the first (Fig. 1) and second (Fig. 5) positions ([0025], lines 12-14, 16-17).



***Claim Rejections - 35 USC § 103***

27. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

28. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lahr (US Pub 2003/0132863) in view of Uchida et al. (JP 02002057771). With respect to claim 11 Lahr teaches the device as applied to claim 1 above, but lacks where the some keys are exposed under the display. Uchida teaches wherein at the first position (see Fig. 2), the keyboard (17) on the sliding member (12) has some keys (15) which are exposed under the display (24, see Fig. 2). It would have been obvious to combine the guiding track of Lahr with the sliding member of Uchida for the benefit of a less complicated non-collapsible keyboard able to be used in the first position and expanded to the second positions of Lahr.

29. With respect to claim 12, Uchida teaches wherein the body has operating buttons (25) under the display, and at the first position (see Fig. 2), the operating buttons are located between the exposed keys (15) of the keyboard of the sliding member and the display (24).

30. With respect to claim 13, Uchida teaches wherein the body (13) is integrally formed with a base (see Fig. 3, the body must inherently have some base portion to connect to the sliding member), and the sliding member (12) is supported by the base (the sliding member connects to the base, therefore the base supports the connection).

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**Conclusion**

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Miller, Jr. et al. (PN 6,370,018), Makela (US Pub 2004/0075973), Brandenberg et al. (PN 6,665,173), Madsen et al. (US Pub 2005/0057891), Lee et al. (US pub 2005/0078443), Chen et al. (PN 6,856,507), Duarte et al. (PN D484,503), demonstrating alternative designs of handheld devices.

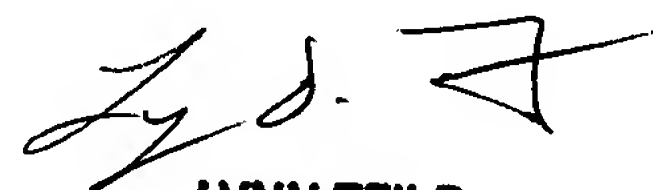
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey M. Broussard whose telephone number is 571 272 2799. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LYNN FEILD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800